

63G-2-702 Applicability to the judiciary.

- (1) The judiciary is subject to the provisions of this chapter except as provided in this section.
- (2)
 - (a) The judiciary is not subject to Part 4, Appeals, except as provided in Subsection (5).
 - (b) The judiciary is not subject to Part 5, State Records Committee, and Part 6, Collection of Information and Accuracy of Records.
 - (c) The judiciary is subject to only the following sections in Part 9, Public Associations: Sections 63A-12-105 and 63A-12-106.
- (3) The Judicial Council, the Administrative Office of the Courts, the courts, and other administrative units in the judicial branch shall designate and classify their records in accordance with Sections 63G-2-301 through 63G-2-305.
- (4) Substantially consistent with the provisions of this chapter, the Judicial Council shall:
 - (a) make rules governing requests for access, fees, classification, designation, segregation, management, retention, denials and appeals of requests for access and retention, and amendment of judicial records;
 - (b) establish an appellate board to handle appeals from denials of requests for access and provide that a requester who is denied access by the appellate board may file a lawsuit in district court; and
 - (c) provide standards for the management and retention of judicial records substantially consistent with Section 63A-12-103.
- (5) Rules governing appeals from denials of requests for access shall substantially comply with the time limits provided in Section 63G-2-204 and Part 4, Appeals.
- (6) Upon request, the state archivist shall:
 - (a) assist with and advise concerning the establishment of a records management program in the judicial branch; and
 - (b) as required by the judiciary, provide program services similar to those available to the executive and legislative branches of government as provided in this chapter and Title 63A, Chapter 12, Public Records Management Act.

Amended by Chapter 369, 2012 General Session